

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**PETRO INDUSTRIAL
SOLUTIONS, LLC (PETRO),**

Plaintiff,

v.

1:21-cv-00312-WAL-EAH

**ISLAND PROJECT & OPERATING
SERVICES, LLC (IPOS), VITOL US
HOLDING II, CO., VITOL VIRGIN
ISLANDS CORP. (VVIC), ANDREW
CANNING, OPTIS EUROPE, LTD.,
(OPTIS),**

Defendants.

TO: **Lee J. Rohn, Esq.**
On behalf of Plaintiff
Simone D. Francis, Esq.
On behalf of Island Project & Operating Servs.
Andrew Kaplan, Esq.
Y. Gloria Park, Esq.
Carl A. Beckstedt, III, Esq.
On behalf of Vitol US Holding II and Vitol VI
Andrew C. Simpson, Esq.
On behalf of Andrew Canning & OPTIS Europe

FIRST AMENDED SCHEDULING ORDER

THIS MATTER came before the Court for a status conference on January 18, 2023.

Lee J. Rohn, Esq. appeared on behalf of Plaintiff; Simone D. Francis, Esq. appeared on behalf of Island Project & Operating Services (“IPOS”); Y. Gloria Park, Esq. appeared on behalf of Vitol US Holding II, Co. and Vitol Virgin Islands Corp. (“Vitol”); and Andrew C. Simpson, Esq., appeared on behalf of Andrew Canning and OPTIS Europe, Ltd.

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The Court discussed with the attorneys how best to amend the current scheduling order, Dkt. No. 61, with a focus on a new deadline for fact discovery, given the recent service on and answer filed by new party OPTIS Europe, Ltd. Having heard and considered the parties' concerns, the Court orders the parties to comply with the following preliminary deadlines, amends the current scheduling order, and sets the following deadlines to govern this case.

WHEREFORE, it is now hereby **ORDERED**:

1. Plaintiff shall serve its discovery requests on OPTIS Europe, Ltd. on or before **January 27, 2023**;
2. Each party shall send a notice to all other parties no later than **January 27, 2023** concerning who they plan to depose. The notice shall include a proposed schedule for each deposition;
3. Should there be issues with the proposed deposition schedules, the parties shall meet and confer no later than **February 3, 2023**. Further, the parties shall file a joint deposition plan no later than **February 10, 2023**. The parties shall include in that plan the dates for the witnesses to be deposed pursuant to Fed. R. Civ. P. 30(b)(6) in addition to fact witnesses;
4. All factual discovery, including written discovery and fact witness depositions, shall be completed by **June 16, 2023**. The parties shall meet and confer within one week of receipt of any letter from a party requesting a meet-and-confer conference concerning a discovery issue;

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5. Any motion to amend the pleadings or to join additional parties shall be filed on or before **June 30, 2023**;
6. Mediation shall be completed no later than **July 17, 2023**, and shall be conducted pursuant to Local Rules of Civil Procedure Rule 3.2;
7. Plaintiffs' experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **July 31, 2023**;
8. Defendant's experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **September 15, 2023**;
9. All expert depositions, as provided in Fed. R. Civ. P. 26(a)(2), shall be completed no later than **October 30, 2023**. No rebuttal reports are allowed without leave of Court;
10. Any *Daubert* motions shall be filed on or before **November 30, 2023**;
11. All dispositive motions shall be filed on or before **January 19, 2024**. No extensions for filing opposition or reply briefs are allowed without leave of Court. If no dispositive motions will be filed in the case, the parties shall file, no later than **January 26, 2024**, a joint notice stating that the parties have not filed and do not intend to file any dispositive motions.
12. A status conference is scheduled for **June 20, 2023**, at **10:00 a.m.** before the undersigned U.S. Magistrate Judge. **All off-island counsel may appear via videoconference. All on-island counsel shall appear in person.** Off-island counsel shall contact the Clerk's Office for videoconference information.

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13. The November 3, 2023 pretrial conference scheduled in the original Scheduling Order before District Judge Wilma A. Lewis is **CANCELLED**.
14. Pretrial filing deadlines and the trial date will be set by further order of the Court.
15. Any extensions, changes, and/or modification of any dates or deadlines contained herein shall be made only for good cause and only with the Court's consent pursuant to Fed. R. Civ. P. 16(b)(4).

ENTER:

Dated: January 19, 2023

/s/ Emile A. Henderson III
EMILE A. HENDERSON III
U.S. MAGISTRATE JUDGE